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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,062	01/22/2001	Joel C. Dunn	AUS920000766US1	8294

7590 04/05/2004

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EXAMINER	
YIGDALL, MICHAEL J	

ART UNIT	PAPER NUMBER
2122	5

DATE MAILED: 04/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application	Applicant(s)	
	09/766,062	DUNN ET AL.	
	Examiner	Art Unit	
	Michael J. Yigdall	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 January 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 June 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 3.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-30 are pending and have been examined. The priority date considered for the application is 22 January 2001.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-12, 14-20, 22-28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,138,157 to Welter et al. (hereinafter Welter) in view of U.S. Pat. No. 6,442,714 to Griffin et al. (hereinafter Griffin).

With respect to claim 1, Welter discloses a method for operating a test automation facility in a data processing system (see the title and abstract), the method comprising:

(a) loading an initial markup language document into a browser application at a client, wherein the initial markup language document initializes a set of browser frames (see column 8, lines 31-39, which shows loading an HTML document having a browser frameset).

Although Welter discloses using a configuration script to verify the contents of an HTML document (see column 5, lines 6-18), Welter does not expressly disclose:

(b) executing scripting language statements within a first frame to verify contents of a second markup language document within a second frame.

However, Griffin discloses a set of frames having scripting language components for testing or verifying a product and directing the user through the testing procedure (see column 4, lines 47-55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the markup language document verification of Welter with scripting language statements and a set of browser frames, as taught by Griffin, for the purpose of directing the user through the testing procedure.

With respect to claim 2, the combination of Welter and Griffin further discloses loading the second markup language document into the second frame after receiving the second markup language document from a server within the data processing system (see Welter, column 8, lines 31-39, which shows requesting a document from a frame URL, and column 8, lines 1-9, which shows receiving and loading the HTML document).

With respect to claim 3, see the reasoning presented above for claim 1. Claim 3 is recited as an apparatus that is analogous to the method of claim 1. Note that Welter further discloses an apparatus (see column 2, lines 44-60).

With respect to claim 4, see the reasoning presented above for claim 2. Claim 4 is recited as an apparatus that is analogous to the method of claim 2.

With respect to claim 5, see the reasoning presented above for claim 1. Claim 5 is recited as a computer program product in a computer readable medium that is analogous to the method

of claim 1. Note that Welter further discloses a computer program product in a computer readable medium (see column 2, lines 44-60).

With respect to claim 6, see the reasoning presented above for claim 2. Claim 6 is recited as a computer program product in a computer readable medium that is analogous to the method of claim 2.

With respect to claim 7, Welter discloses a method for operating a test automation facility in a data processing system (see the title and abstract), the method comprising:

(a) loading an initial markup language document into a browser application at a client, wherein the initial markup language document comprises a set of frames (see column 8, lines 31-39, which shows loading an HTML document having a browser frameset).

Although Welter discloses loading an HTML document and using a configuration script (see column 5, lines 6-18), Welter does not expressly disclose:

(b) loading a second markup language document within a first frame of a browser application window, wherein the second markup language document comprises scripting language statements.

However, Griffin discloses a set of frames having scripting language components for testing or verifying a product and directing the user through the testing procedure (see column 4, lines 47-55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the markup language document verification of Welter with scripting

language statements and a set of browser frames, as taught by Griffin, for the purpose of directing the user through the testing procedure.

The combination of Welter and Griffin further discloses:

(c) loading, within a second frame of the browser application window, a third markup language document that was received from a server in response to a request initiated by a user (see Welter, column 8, lines 31-39, which shows requesting a document from a frame URL, and column 8, lines 1-9, which shows receiving and loading the HTML document; see also column 4, lines 40-42 and 57-65, which show that the procedure is initiated by a user);

(d) in response to loading the third markup language document, calling a function in scripting language statements within the first frame (see Welter, column 8, lines 1-9, which shows analyzing the HTML document based on statements in the configuration script; see also FIG. 6, which shows an exemplary script); and

(e) verifying contents of the third markup language document using the called function (see Welter, column 8, lines 1-9, which shows analyzing or verifying the contents of the HTML document; see also column 8, line 64 to column 9, line 11, which shows further details of the verification procedure).

With respect to claim 8, the combination of Welter and Griffin further discloses receiving user-selected actions through user interface controls presented within the first frame of the browser application window (see Welter, FIGS. 4A, 4B and 4C, and column 5, lines 49-67, which shows user interface controls for obtaining user-selected actions).

With respect to claim 9, the combination of Welter and Griffin further discloses receiving user-specified test parameters through the user interface controls (see Welter, FIGS. 4A, 4B and 4C, and column 5, lines 49-67, which shows user interface controls for obtaining user-specified test parameters).

With respect to claim 10, the combination of Welter and Griffin further discloses repeating, for a user-specified duration or loop count, the step of loading the third markup language document into the second frame of the browser application window (see Welter, column 6, lines 27-41, which shows specifying a schedule and duration for repeating the testing procedure), wherein the Uniform Resource Identifier (URI) of the third markup language document is associated with the called function (see column 6, lines 1-6, which shows specifying the URL or URI of the HTML document associated with the testing procedure).

With respect to claim 11, the combination of Welter and Griffin further discloses, prior to calling the function, detecting a directive in the third markup language document that directs the browser application to call the function (see Welter, column 8, lines 10-39, which shows searching the HTML document for tags or directives to invoke the testing operation).

With respect to claim 12, the combination of Welter and Griffin further discloses logging messages into a third frame of the browser application window (see Welter, column 5, lines 6-18, which shows logging messages to a file; see also column 4, lines 40-44, which shows displaying the log, for example in a browser window or frame).

With respect to claim 14, the combination of Welter and Griffin further discloses the limitation wherein the markup language is Hypertext Markup Language (see Welter, column 2, lines 23-33, which shows HTML documents).

With respect to claim 15, see the reasoning presented above for claim 7. Claim 15 is recited as an apparatus that is analogous to the method of claim 7. Note that Welter further discloses an apparatus (see column 2, lines 44-60).

With respect to claim 16, see the reasoning presented above for claim 8. Claim 16 is recited as an apparatus that is analogous to the method of claim 8.

With respect to claim 17, see the reasoning presented above for claim 9. Claim 17 is recited as an apparatus that is analogous to the method of claim 9.

With respect to claim 18, see the reasoning presented above for claim 10. Claim 18 is recited as an apparatus that is analogous to the method of claim 10.

With respect to claim 19, see the reasoning presented above for claim 11. Claim 19 is recited as an apparatus that is analogous to the method of claim 11.

With respect to claim 20, see the reasoning presented above for claim 12. Claim 20 is recited as an apparatus that is analogous to the method of claim 12.

With respect to claim 22, see the reasoning presented above for claim 14. Claim 22 is recited as an apparatus that is analogous to the method of claim 14.

With respect to claim 23, see the reasoning presented above for claim 7. Claim 23 is recited as a computer program product in a computer readable medium that is analogous to the method of claim 7. Note that Welter further discloses a computer program product in a computer readable medium (see column 2, lines 44-60).

With respect to claim 24, see the reasoning presented above for claim 8. Claim 24 is recited as a computer program product in a computer readable medium that is analogous to the method of claim 8.

With respect to claim 25, see the reasoning presented above for claim 9. Claim 25 is recited as a computer program product in a computer readable medium that is analogous to the method of claim 9.

With respect to claim 26, see the reasoning presented above for claim 10. Claim 26 is recited as a computer program product in a computer readable medium that is analogous to the method of claim 10.

With respect to claim 27, see the reasoning presented above for claim 11. Claim 27 is recited as a computer program product in a computer readable medium that is analogous to the method of claim 11.

With respect to claim 28, see the reasoning presented above for claim 12. Claim 28 is recited as a computer program product in a computer readable medium that is analogous to the method of claim 12.

With respect to claim 30, see the reasoning presented above for claim 14. Claim 30 is recited as a computer program product in a computer readable medium that is analogous to the method of claim 14.

4. Claims 13, 21 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welter in view of Griffin as applied to claims 7, 15 and 23 above, respectively, and further in view of *Microsoft Press Computer Dictionary, Third Edition* (hereinafter Dictionary).

With respect to claim 13, although the combination of Welter and Griffin discloses the Perl scripting language (see Griffin, column 4, lines 47-55), the combination does not expressly disclose the limitation wherein the scripting language is JavaScript.

However, Griffin further discloses implementing the system with software languages other than the Perl scripting language (see column 2, line 64 to column 3, line 5). Moreover, the JavaScript language is well known in the art for adding functions to HTML documents (see Dictionary, page 269, "JavaScript").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the system of Welter and Griffin with the JavaScript scripting language, as is known in the art, for the purpose of adding functions to the HTML documents.

With respect to claim 21, see the reasoning presented above for claim 13. Claim 21 is recited as an apparatus that is analogous to the method of claim 13.

With respect to claim 29, see the reasoning presented above for claim 13. Claim 29 is recited as a computer program product in a computer readable medium that is analogous to the method of claim 13.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Pat. No. 6,360,332 to Weinberg et al. discloses a system for testing the functionality of transactional servers, such as Web servers. U.S. Pat. No. 6,662,217 to Godfrey et al. discloses a system for the automated testing of server computers. U.S. Pat. No. 6,002,871 to Duggan et al. discloses a system for testing Web applications.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Yigdall whose telephone number is (703) 305-0352. The examiner can normally be reached on Monday through Friday from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (703) 305-4552. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MY

Michael J. Yigdall
Examiner
Art Unit 2122

mjy
March 31, 2004

ANTONY NGUYEN-BA
PRIMARY EXAMINER